

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIE JOHNSON,

Petitioner,

v.

No. C 98-4043 SI

DEATH PENALTY CASE

RON DAVIS, Warden, San Quentin State Prison,

Respondent.

**ORDER ADDRESSING RESPONDENT'S
OPPOSITION TO MOTIONS TO
WITHDRAW AND SEAL**

The Court is in receipt of respondent's opposition to petitioner's motions to withdraw and motions to seal the motions to withdraw and supporting affidavits. Respondent's opposition raises serious concerns about delay, concerns that the Court itself considered prior to granting the motions. However, possible delay incurred as a result of appointing new counsel must be balanced with the well-being and ability to litigate the case of the counsel seeking removal. Accordingly, the Court will still allow the withdrawal of counsel.

In an effort to minimize confusion for new counsel, another issue raised by respondent's opposition, as well as minimizing delay, the Court's order granting the withdrawal of counsel is not effective until after the completion of the current round of briefing. The Court will work with both

1 parties to ensure timely processing of this case. To that end, the Court notes that the most recent
2 delay, one of nine months, was incurred by granting respondent's multiple requests for an extension
3 of time in which to file the opposition brief. If respondent seeks to expedite the resolution of this
4 case, the Court in turn seeks respondent's assistance in the timely filing of briefs.

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6 IT IS SO ORDERED.

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8 DATED: December 23 2014

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SUSAN ILLSTON
United States District Judge